GOVERNMENT OF MADRAS. For Mysore State

Sect. II-28—55.000—27-10-52

Home (1953) Department

Endorsement
~~D.O~~
~~Memorandum~~
Lodged

No. 166 #21/ES/53

Dated 28 Apr 1953

Papers 4

FURTHER PAPERS.

Department.	Number.	Series.	Date.

FOR MYSORE STATE

4h 7/E1

To,

The District Magistrate,
Bellary.

Dated. /8/53.

Sir,

Subject:- Bench Court Bellary- President- Sri. Prayag - Mis Conduct on 1/8/53 in Public Court-Immediate enquiry and suitable action requested in the interest of JUSTICE.

Home

I, Lakshminarayana Upadyaya, Manager, Sri. Kamal Vilas Brahmin Coffee Hotel, Fort, Bellary beg to bring the following facts to your kind notice for immediate action in the interest of JUSTICE, against the conduct of Sri. Prayag ..., ..., the President of the Bench Court, Bellary on /8/53 in the Public Court.

I submit that two prosecutions were launched against me by the Health Department of the Bellary Municipality for certain violations of conditions and these prosecutions were fixed to 10/8/53. After rectifying the defects I made a representation to the Health Department for the withdrawal of the cases and the Municipal Health Officer was kind enough to withdraw these cases on 7/8/53 and the intimation of the withdrawal of these cases was sent to the President of the Bench Court on 7/8/53 sufficiently 3 days in advance of the posting of the cases on 10/8/53. The Bench Court has also acknowledged the receipt of the intimation of the withdrawal of these cases on 7/8/53 itself.

3. I appeared in the Bench Court on 10/8/53. These cases were called out by the Court. The President asked me what I have to say with regard to these cases. I represented to him that the Municipal Health Officer had withdrawn these cases and that the intimation of the withdrawal of these cases had been sent to the Court on 7/8/53 and the Court has also acknowledged the receipt of the same on 7/8/53 itself sufficiently in advance by three days. I requested the President to drop further proceedings in view of the above facts.

4. I submit that the President ... [illegible] ... Court, for making the above false statements [illegible] ...

3/

Further he threatened me that he would fine me and send me to jail also. He unnecessarily tortured for nothing. I could not do anything in the matter as it was court and I kept quite The President out of grudge and malice fined me Rs.75/- for both the cases unnecessarily without loking into the witnesses ent by the Municipal Health Officer three days reviously.I put to shame and financial loss.

5. I submit that the conduct of Sri. Progyasmi in the President, does not befit him to hold such a post of Justic in these democratic days.If he had really realised that the present Government is by the PEOPLE, of the PEOPLE and for the PEOPLE he could not have misconducted himself, illstrated and defamed a respectable citizen in Public Court which is unwarranted. Perhaps he still thinks that he is governed by foreign Rule and that his high-handed ,malicious and discourteous actions can go unchecked and that he is above all.

6. I submit that a cannot question his magistrial findings, he can fine me, convict me If I am found guilty of the offences mentioned in the charge sheets but he is not entitled and cannot abuse a respectable Citizen in foul language as stated abo-ve in the Public Court and put him to defame and look low in the eyes of the public present in the Court. His action is therefore unwarranted and highly defamatory under provisions of the Act of the State.I am much aggrieved and wounded unnecessarily.Even the Constitution of India provides safety for the respect and person of the union. But Sri. Progyasmi still i is devoid of this.

7. I therefore request you to consider the facts represented sym- with sympathy and to kindly take necessary suitable action in the matter in the insterest of Justice so that innocent and respectable citizens cannot be put to unnecessary defame in the public Court at the hands of this President Sri. Progyasmi-still.

8. I once again pray for immediate action.

. For which act of kindness I shall ever feel highly grateful.

Yours faithfully

Copy to the Staff [illegible]

Further he threatened me that he would fine me and send me to jail also. He was mentally perturbed for nothing. I could not do anythingin the matter as it was court and I kept mum. The President out of grudge and malice fined me Rs.70/- for both the cases unnecessarily without loking into the witness sent by the Municipal Health Officer three days previously.I am put to shame and financial loss.

5. I submit that the conduct of Sri.Rogyaswami Pillai the President, does not befit him to hold such a post of Judge in these democratic days.If he had really realised that the present Government is by the People, of the People and for the People he could not have misconducted himself, illetreated and defamed a respectable citizen in Public Court which is unwarranted. Perhaps he still thinks that he is governed by Foreign Rule and that his high-handed ,malicious and discourteous actions can go unchecked and that he is above all.

6. I submit that I cannot question his magistrial findings, he can fine me, convict me if I am found guilty of the offences mentioned in the charge sheets but he is not entitled and cannot abuse a respectable Citizen in foul language as stated above in the Public Court and put him to defame and look low in the eyes of the Public present in the Court. His action is therefore unwarranted and highly deferatory under provisions of the of the State.I am much aggrieved and wounded unnecessarily the Constitution of India provides safety for the respectable person of the union. But Sri. Rogyaswami Pillai is devoid of this.

7. I therefore request you to consider the facts represented supra with sympathy and to kindly take necessary suitable action in the matter in the insterest of Justice so that innocent and respectable citizens cannot be put to unnecessary defame in the Public Court at the hands of this Presicent Sri. Rogyaswami Pillai.

8. I once again pray for Immediate action.

For which act of kindness I shall ever feel bound,

Yours truly,

Home

K.P. Kesavamenon
14-8-53

HON'BLE MINISTER FOR LAW
15 AUG 1953
ASSEMBLY DEPARTMENT

To,

The District Magistrate,
Gooty.

Sir,

Subject:- Bench Court Bellary- President Sri Arogyaswami-Pillai- Misbehaviour on 10/8/53 in Public Court-Immediate enquiry and suitable action Requested in the interest of JUSTICE.

16424

I, Lakshminarayana Upadyaya, Manager, Sri Mahalakshmi-Bhavan Coffee Hotel, Fort, Bellary beg to bring the following few facts to your kind notice for immediate action in the interest of JUSTICE, against the conduct of Sri. Arogyaswami, Pillai, the President of the Bench Court, Bellary on 10/8/53 in the Public Court.

2. I submit that the prosecutions were launched against me by the Health Department of the Bellary Municipality for certain violations of conditions and these prosecutions were posted to 10/8/53. After rectifying the defects I made a representation to the Health Department for the withdrawal of the cases and the Municipal Health officer was kind enough to withdraw these cases on 7/8/53 and the intimation of the withdrawal of these cases was sent to the President of the Bench Court on 7/8/53 sufficiently 3 days in advance of the hearing of the cases on 10/8/53. The Bench Court has also acknowledged the receipt of the intimation of the withdrawal of these cases on 7/8/53 itself.

3. I appeared in the Bench Court on 10/8/53. These cases were called out by the Court. The President asked me what I have to say with regard to these cases. I represented to him that the Municipal Health officer had withdrawn these cases and that the intimation of the withdrawal of these cases has also been sent to the court on 7/8/53 and the Court has also acknowledged the receipt of the same on 7/8/53 itself sufficient in advance by three days. I requested the President to drop further proceedings in view of the above facts.

4. I submit that the President got irritated all in a sudden, for nothing and abused me in foul language as follows Chandalnikottutha nu- norumuya (English version- You, son of a prostitute- Get out, shut up your mouth) in open court

C.No. 2547/53
14.8.53

To,

The District Magistrate,
Coorg.

Sir,

Subject:- Bench Court Mercara- Prosecution vs. Mr. Rogya Swami-Ill. in-discriminate behaviour on 13/8/53 in Public Court-Inquiry to enquiry and suitable action requested in the interest of JUSTICE.

I, Exhibiting Yogi Rogya Swami, Founder, Trinity Omnipotent Jeevan Coffee Hotel, Mercara, beg to bring the following few facts to your kind notice for immediate action in the interest of JUSTICE, to meet the conduct of Mr. Rogya Swami, Plaintiff, the President of the Bench Court, Mercara on 13/8/53 in the Public Court.

I submit that the prosecutions were launched against me by the Health Department of the Municipality for certain violations of conditions in these prosecutions were posted to 7/8/53. After rectifying the defects I made a representation to the Health Department for the withdrawal of the cases and the Municipal Health Officer was kind enough to withdraw these cases on 7/8/53 and the intimation of the withdrawal of these cases was sent to the President of the Bench Court on 7/8/53 sufficiently in advance of the hearing of the cases on 13/8/53. The Bench Court has also acknowledged the receipt of the intimation of the withdrawal of these cases on 7/8/53 itself.

3. I appeared in the Bench Court on 13/8/53. These cases were called out by the Court. The President asked me what I have to say with regard to these cases. I represented to him that the Municipal Health Officer has withdrawn these cases and that the intimation of the withdrawal of these cases have been sent to the Court on 7/8/53 by the Court and the Court before the receipt of the cases on 13/8/53 itself sufficiently in advance by three days. I requested the President to drop further proceedings in view of the above facts.

4. I submit that the President got irritated and in rage, fury, and temper in foul language as "Lanjamaga Nanmaldi Thaiyoli-Dramuyu" (In Kannada version- You, son of prostitute, I will teach you a lesson in open court